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Egypt is a republic with Islam as the state religion. The National Democratic Party (NDP) has governed since its establishment in 1978. The NDP continues to dominate national politics and has maintained an overriding majority in the popularly elected People's Assembly and the partially elected Shura (Consultative) Council. In 1999, President Hosni Mubarak was reelected unopposed to a fourth 6-year term in a national referendum. The President appoints the Cabinet and the country's 26 governors and may dismiss them at his discretion. The Constitution provides for an independent judiciary; however, application of the 1981 Emergency law undermined its independence. The Government continued to use the Emergency law to try non-security cases in the Emergency and Military courts.

The Ministry of Interior controls the State Security Investigations Sector (SSIS), which conducts investigations and interrogates detainees, and the Central Security Force (CSF), which enforces curfews and bans on public demonstrations. Security forces continued to arrest and detain suspected members of terrorist groups. The President is the commander-in-chief of the military and the Government maintains effective control of the security forces. The security forces committed numerous, serious human rights abuses.

The country is transforming from a government-controlled economy to a free market system; however, state-owned enterprises still dominated some key sectors of the economy. The country had a population of approximately 68 million. Approximately 30 percent of the population worked in the almost entirely privately owned agriculture sector, including an estimated 3 to 5 percent of subsistence farmers. Income from tourism, remittances from approximately 2 million citizens working abroad, petroleum exports, and Suez Canal revenues were the other principal sources of foreign currency and were vulnerable to external shocks. Approximately 17 percent of the population live in poverty, but the poor performance of the economy over the past 3 years likely has increased that figure.

The Government's human rights record remained poor and many serious problems remain; however, there were improvements in a few areas. Citizens did not have the meaningful ability to change their government. The use of military courts and State Security Courts to try civilians continued to infringe on a defendant's Constitutional right to a fair trial before an independent judiciary. The 1981 Emergency law, extended in February for an additional 3 years, continued to restrict many basic rights. The security forces continued to mistreat and torture prisoners, arbitrarily arrest and detain persons, hold detainees in prolonged pretrial detention, and occasionally engaged in mass arrests. Local police killed, tortured, and otherwise abused both criminal suspects and other persons. Police continued to arrest and detain homosexuals. The Government partially restricted freedom of the press and significantly restricted freedom of assembly and association. The Government placed some restrictions on freedom of religion. Domestic violence against women remained a problem. Female genital mutilation (FGM) persisted despite government and nongovernmental efforts to eradicate the practice. Tradition and some aspects of the law discriminated against women and Christians. The Government limited workers' rights. Child labor remained widespread, despite government efforts to eradicate it. Exposure of workers to hazardous working conditions and other employer abuses continued.

During the year, the Government prosecuted 13 police officers for abuse and torture of prisoners. The Government abolished State Security Courts but continued to use of State Security Emergency Courts. The Government enacted a law to abolish the hard labor penalty, and passed legislation establishing a National Council for Human Rights. The Government generally permitted human rights groups to operate openly.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary and Unlawful Deprivation of Life

There were no reports of political killings; however, during the year, human rights organizations and the press reported that at least 8 persons died in custody at police stations or prisons.

In April, the Egyptian Organization for Human Rights (EOHR) released a report called "Torture Should be Stopped." It documented five cases of alleged death due to torture which occurred in police stations and detention centers in 2002. The report also included 31 cases of torture, 9 of which the report states "are expected to end in death."

On September 12, Mohammad Abdel-Sattar Musri, an electronics engineer, reportedly died of torture while in custody at the headquarters of El Fayoum SSIS. He was detained 3 days after the detention of his younger brother, Ahmed, who was accused of disseminating anti-war propaganda.

On September 22, the Human Rights Association for the Assistance of Prisoners (HRAAP) called for an investigation into the case of Mohamed Abdel Setar, who died on September 19, reportedly while in the custody of the local State Security office. The Association alleged that he was tortured to death.

On September 30, the Association for Human Rights and Legal Aid released a report detailing two cases involving deaths in custody allegedly due to torture. According to the report, 31-year-old Mohammed al-Sayyed was arrested on September 7. When his father picked up his body on September 14, he was covered with bruises, his skull was fractured, and his nails had been pulled out. The report also covered the separate death of detainee Ahmad Mohammed Omar, who died from alleged mistreatment.

According to local human rights monitors, on October 4, police officers in the Sayyeda Zeinab district of Cairo arrested Mahmoud Gabr Mohammed while he was sitting in a cafe, for unknown reasons. He was taken to Sayyeda Zeinab police station where he died on October 7. Family members and health officers who examined the body prior to burial reported numerous injuries and bruises. There were no reports of an investigation into the case at year's end.

On November 4, Saad Sayyed Mohammed Kotb, an accountant at the engineer's syndicate, died in custody at the Giza State Security station. He was arrested on November 1 for his alleged association with the banned Muslim Brotherhood. An investigation has reportedly been ordered, but no information on its progress was available by year's end.

The investigation into the 2002 deaths of five prisoners at Ghurbaniyat Prison remained pending at year's end.

b. Disappearance

There were some reports of disappearance during the year. During the year, the EOHR reported the February 9 disappearance of Adel Mohammed Kamiha, a coffee shop owner, who reportedly disappeared following his transfer from police custody to the custody of State Security in Alexandria. His whereabouts remained unknown at year's end. On August 11, Reda Helal, a journalist, disappeared. The police initiated an investigation into his disappearance; however, Helal's whereabouts continued to be unknown at year's end. Despite some speculation to the contrary, there was no evidence to suggest government involvement in his disappearance.

At year's end, at least 50 other cases of disappearance from previous years documented by human rights organizations remained unsolved. Human rights organizations provided names to the U.N. Working Group on Enforced and Involuntary Disappearances; the Government reportedly has denied any involvement in the cases.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits the infliction of "physical or moral harm" upon persons who have been arrested or detained; however, torture and abuse of detainees by police, security personnel, and prison guards remained common and persistent. The November, 2002 session of the U.N. Committee Against Torture noted a systematic pattern of torture by the security forces.

Police torture resulted in deaths during the year (see Section 1.a.).

Under the Penal Code, torture or giving orders to torture are felonies punishable by 3 to 10 years' imprisonment. In June, the Government abolished hard labor as a punishment; however, prior to June, some hard labor sentences were imposed.

If the victim dies under torture, the crime is one of intentional murder punishable by a life sentence. Arrest without due cause, threatening death, or using physical torture is punishable by imprisonment. Abuse of power to inflict cruelty against persons is punishable by imprisonment and fines. Victims may also bring a criminal or civil action for compensation against the responsible government agency. There is no statute of limitations in such cases. For example, on January 13, an Administrative Court in Alexandria ruled that the Ministry of Interior should pay \$25,975 (120,000 LE) in compensation to citizen Ramadan Mohammed, who was detained illegally for 9 days and tortured in 1996.

Despite these legal safeguards, there were numerous, credible reports that security forces tortured and mistreated detainees. Human rights groups believed that the SSIS, police, and other Government entities continued to employ torture. Torture was used to extract information, coerce the victims to end their oppositionist activities, and to deter others from similar activities. Reports of torture and mistreatment at police stations remained frequent. While the Government investigated torture complaints in criminal cases and punished some offending officers, the punishments generally have not conformed to the seriousness of

the offense.

Principal methods of torture reportedly employed by the police and the SSIS included victims being: stripped and blindfolded; suspended from a ceiling or doorframe with feet just touching the floor; beaten with fists, whips, metal rods, or other objects; subjected to electrical shocks; and doused with cold water. Victims frequently reported being subjected to threats and forced to sign blank papers for use against the victim or the victim's family in the future should the victim complain of abuse. Some victims, including male and female detainees and children reported that they were sexually assaulted or threatened with rape themselves or family members. The Emergency Law authorizes incommunicado detention for prolonged periods. Detentions under this law were frequently accompanied by allegations of torture (see Section 1.d.). While the law requires security authorities to keep written records of detentions, human rights groups reported that the lack of such records often effectively blocked investigation of complaints.

In April, Amnesty International (AI) reported that seven students, journalists, and activists were subjected to torture and beatings at the Cairo headquarters of the SSIS. Activist Manal Khaled and lawyer Aiad Abdel Hamid al-Uleimi were reportedly beaten severely with sticks and belts and Khaled also was threatened with rape upon arrest. In March, AI also reported that at least five detainees were tortured with electro shock at the Lazoghili SSIS Headquarters.

On September 18, the Hisham Mubarak Law Center issued a report documenting the mistreatment in detention of anti-Iraq war activist Ramez Gihad Abdel Aziz, who was arrested on April 12. Abdel Aziz was allegedly suspended from above the floor, beaten, kicked, and subjected to electric shocks. The report named State Security Officer Walid El Dessouqi as a principal supervisor of the torture. The report added that Dessouqi repeatedly threatened reprisals against Abdel Aziz and his family if a complaint was filed against him. The Government maintained that its own investigation found that the allegations were unsubstantiated.

On October 11, according to media accounts and human rights monitors, police in Helwan stormed a house searching for two persons suspected in a homicide. Although the suspects were not present, police took into custody between 11 and 15 members of their family, including four women. The detained family members allege they were beaten, whipped, suspended, stripped, and molested as police attempted to extract information about the whereabouts of the two suspects. The case reportedly has been referred for investigation; however, no information on its progress was available by year's end.

In April, the EOHR reported 40 documented cases of torture with 9 deaths in 2002 in police stations and other detention centers.

The Government continued efforts during the year to hold security personnel accountable for torturing prisoners in their custody. Human rights organizations and the press reported that 13 police officers in 5 cases were held publicly accountable. Some of the cases involved incidents that took place in previous years. Some but not all of the cases prosecuted involved the deaths of prisoners.

On May 12, a criminal court in Minya sentenced a prison official and four subordinates to 10-year prison sentences for the torture and death of Ahmed Mohamed El Radi Dardir. The court also sentenced two other prison officials, including the prison doctor, to dismissal and 1 year's imprisonment for forging documents related to the case. On May 19, a court of appeal upheld the December 2002 conviction of police officer Arafa Hamza. Arafa Hamza was sentenced to one year in prison for the death from torture of 21-year-old student Ahmed Mahmoud.

On June 5, Luxor Police Major Magdy Awad and an assistant were referred for prosecution for the May 14 torture of Nagdy Mohamed Gad El Rub, who was accused of theft. He reportedly suffered severe burns as a result of torture. His brother and sister were also briefly detained, allegedly to compel a confession. At year's end, the case had not yet been referred to trial.

The Human Rights Center for the Assistance of Prisoners (HRCAP), in an October 2002, report entitled "The Truth," commended judicial efforts to try security officers for torture, but outlined current obstacles, including a vague legal definition of torture, and the inability of victims to sue perpetrators directly.

On August 14, a 3-month sentence was given and then suspended for two officers, Hossam Hassan Abul Ma'alli and Yasser Hussein Yousri, charged with the March 2002 torture and death of Mehat Fahmi Ibrahim at Al Gomrok police station.

On September 15, the public prosecutor referred to trial 12 police officers on charges of forging official documents, torture to extract a confession, and the illegal detention in 1996 of Mohammed Badr Eddine Gomaa. In 1996, Gomaa went to Alexandria police to report the disappearance of his daughter. Months later, after the discovery of the mutilated body of a child, police arrested Gomaa and allegedly extracted from Gomaa through torture a confession. His missing daughter subsequently reappeared alive. Rather than release Gomaa, police charged him with the murder of the discovered unidentified child. The charges against Gomaa were dropped in October 1998. The police who had allegedly illegally detained and tortured Gomaa were not charged until September.

There were no developments in the 2002 case of Mohamed Mahmoud Osman who allegedly died as a result of sustained torture while at Old Cairo Police Station.

Civil courts continued to review cases and frequently awarded compensation to victims of police abuse. Human rights observers recommended that rules and standards for victims be established to obtain redress and parity in compensation.

In prominent criminal cases, defendants alleged that police tortured them during questioning. In 2002, attorneys for 52 allegedly homosexual men, arrested in 2001 and charged with debauchery and "insulting a heavenly religion," claimed that their clients were abused physically during the initial days of their detention, and that several had confessed under torture. Defendants in other cases involving homosexuality also claimed that they were tortured to extract confessions to the charge of "debauchery" (see Sections 1.e. and 2.c.).

Arrests of homosexuals occurred during the year (see Section 5).

In January 2002, police arrested Zaki Saad Zaki Abd al-Malak, a 23-year resident of Ismailia was arrested in an Internet sting operation. HRW reports that police beat him daily during 2 weeks of detention in Agouza Police Station. Malak was sentenced to 3 years imprisonment, followed by 3 years police supervision. According to reports, he is being held in Borg al-Arab prison near Alexandria. A further appeal is pending.

In February, Human Rights Watch (HRW) issued a report on police abuse of children. According to the report, children were routinely detained in adult police facilities and reportedly beaten with batons, whips, rubber hoses, and belts. They were also reportedly subjected to sexual abuse and violence by adult detainees (see Section 5). The Government asserted that the study "drew broad conclusions from a limited base," and that abuses were "individual" transgressions dealt with firmly by Egyptian law."

The Government's investigation of the alleged torture of suspects detained in connection with a 1998 double murder in the town of al-Kush, Sohag Governorate, again appeared to have made no progress by year's end (see Section 2.c.).

In August, Egyptian Association Against Torture (EAAT) was denied registration as an association under the new NGO Law (see Section 4).

In November 2002, three domestic human rights associations, as well as two international organizations, presented their allegations and findings to the Committee Against Torture (CAT), a subcommittee of the U.N. Commission on Human Rights. The CAT report expressed concerns about: the continued implementation of the state of emergency; consistent reports of torture and ill treatment; abuse of juveniles and homosexuals; the continued use of administrative detention; the lack of access by victims of torture to the courts and lengthy proceedings; and disparities in the awarding of compensation.

The report included several recommendations: ending the state of emergency; the adoption of a clear legal definition of torture; the abolition of incommunicado detention; the review of military court decisions by a higher tribunal; the removal of ambiguities in the law that allow the prosecution of individuals for their sexual orientation; the acceptance of a visit by a U.N. Special Rapporteur on Torture; the establishment of rules and standards for victims; and to allow human rights organizations to pursue their activities unhindered. The Government maintained that the CAT's recommendations were under review at year's end.

Actions cited by the Government at the hearing include: the 2001 abolition of flogging in prisons; unannounced inspections of places of detention; court decisions that disregarded confessions obtained under duress; increased human rights training for police officials; and the establishment of several human rights committees and departments within government ministries.

The Government did not permit a visit to the country by the U.N. Special Rapporteur on Torture during the year; however, while the Government declined requests for such a visit in the past, it asserted during the year that it "welcomes, in principle," such a visit.

Prison conditions remained poor and tuberculosis was widespread. Prisoners suffered from overcrowding of cells, the lack of proper hygiene, food, clean water, proper ventilation, and recreational activities, and medical care. Some prisons continued to be closed to the public.

In June, a group of inmates at Qanatir Foreigner's Prison went on a hunger strike following the death of a 52-year-old Kuwaiti inmate. Prisoners attributed the Kuwaiti's death and the deaths of two others earlier in the year to poor conditions including inadequate ventilation and medical care. Conditions at Qanatir were generally believed to be better than at other prisons.

There were no reports of an investigation of Qanatir prison conditions during the year.

On July 16, the Government released three members of the Muslim Brotherhood before the expiration of their 5-year prison terms.

Failure to implement judicial rulings regarding the release of administrative detainees and the opening of prisons to visits remained a problem. Relatives and lawyers often were unable to obtain access to prisons for visits. Restrictions were placed on visits to prisoners incarcerated for political or terrorist crimes, limiting the number of visits allowed for each prisoner and the total number of visitors allowed in the prison at one time.

On May 20, HRAAP criticized the decision of the Assistant Minister of Interior for Prisons banning visitation at two prisons, Istiqbal Tora and Liman Abu Za'bal. Damanhour and Fayyoun prisons reportedly also were closed. The ban was lifted on July 1, although certain prisoners were reportedly still denied visitation rights.

As required by law, the public prosecutor continued to inspect prisons during the year; however, findings were not made public. The SSIS prisons were excluded from mandatory judicial inspection.

There were separate prison facilities for men, women, and juveniles. In practice, the separation of adults from juveniles did not always occur and abuses of minors were common. Civilians were not detained in military prisons. Political prisoners generally were detained separately from prisoners convicted of violent crimes.

Lawyers were permitted to visit prisoners in their capacity as legal counsel; however, in practice, they often faced considerable bureaucratic obstacles that prevented them from meeting with their clients.

In December 2002, the Ministry of Interior issued a decree instructing each police station in the Governorate of Cairo to allocate a room specifically for the interrogation and detention of persons without a previous criminal record.

The International Committee of the Red Cross (ICRC) and other domestic and international human rights monitors did not have access to prisons or to other places of detention.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention; however, during the year, security forces conducted large-scale arrests and detained hundreds of individuals without charge. Police also at times arbitrarily arrested and detained persons. The Emergency Law provides that police may obtain an arrest warrant from the Ministry of Interior upon showing that an individual poses a danger to security and public order. This procedure nullified the constitutional requirement of showing that an individual likely has committed a specific crime to obtain a warrant from a judge or prosecutor.

The country has both local and national law enforcement agencies, all of which fall under the Ministry of Interior. Local police operate in large cities and governorates. State Security and Central Security Force officers are responsible for law enforcement at the national level and for providing security for infrastructure and key officials, both domestic and foreign. Single-mission agencies such as the Tourist and Antiquities Police, and the Anti-Narcotics General Administration also work at the national level.

Apart from the use of torture, career police officers are generally professional and well trained, although they have limited resources and manpower. There was corruption in the police force below senior levels, but it was not thought to be systemic or widespread. There is an internal affairs mechanism for investigating corruption which is actively employed. Judicial recourse is also employed. Human rights monitors believe the use of torture by police is widespread. Although some police were prosecuted, human rights monitors believed most incidents of torture went unpunished.

The Emergency Law allows authorities to detain an individual without charge. After 30 days, a detainee has the right to demand a court hearing to challenge the legality of the detention order and may resubmit his motion for a hearing at 1-month intervals thereafter. There is no maximum limit to the length of detention if the judge continues to uphold the legality of the detention order or if the detainee fails to exercise his right to a hearing. Incommunicado detention is authorized for prolonged periods by internal prison regulations. Human rights groups and the CAT both expressed concern over the application of measures of solitary confinement.

In January, HRW reported that 11 alleged members of the Egyptian People's Committee for Solidarity with the Palestinian Uprising were arrested shortly after anti-war demonstrations on January 18 in the al-Sayyida Zeinab district of Cairo. In February, all were reportedly released.

On February 8, SSI raided the home of Ibrahim al-Sahary, a journalist writing Al-'Anam Al-Youm newspaper, and the New War for Hegemony and Oil" and Sabri Al-Sammak, a film producer and anti-war activist. According to human rights groups, the arresting officers showed no warrant or identification, or an administrative detention order. Al-Sahary was taken to SSI headquarters in Cairo and later transferred to Mazra'at Tora prison where he was reportedly being held in solitary confinement under administrative detention. Al-Sammak was also being held at Mazra'at Tora prison. In February, both were reportedly released.

On March 20, during an anti-war protest, security forces abused protestors around Cairo's Tahrir Square. The Government claimed that some of the demonstrators were violent. Approximately 800 persons were arrested, some apparently arbitrarily. In November, HRW released a report, "Security Forces Abuse of Anti-War Demonstrators," documenting excessive use of force by security forces to disperse demonstrators protesting in March. Of the approximately 800 persons arrested, almost all were released within 24 hours, except 61 who were held for investigation and charged with destruction of property, promoting disorder and other offenses.

On August 12, National Security Intelligence arrested 12 members of the banned Muslim Brotherhood group from the students and teachers college at Fayoum University. The 12 were reportedly detained in connection with the September student union elections at the University.

In addition to the Emergency Law, the Penal Code also gives the State broad detention powers. Under the Penal Code, prosecutors must bring charges within 48 hours following detention or release the suspect. However, they may detain a suspect for a maximum of 6 months pending investigation. Arrests under the Penal Code occurred openly and with warrants issued by a district prosecutor or judge. There is a system of bail. The Penal Code contains several provisions to combat extremist violence, which broadly define terrorism to include the acts of "spreading panic" and "obstructing the work of authorities."

Hundreds, perhaps thousands, of persons have been detained administratively in recent years under the Emergency Law on suspicion of terrorist or political activity. Several thousand others have been convicted and serving sentences on similar charges (see Section 1.e.). The Human Rights Association for the Assistance of Prisoners estimated that the total figure of persons held in administrative detention was approximately 15,000.

On September 3, the Minister of Interior issued a decree ordering the release of 1,000 political detainees affiliated with the terrorist Islamic Group (IG) after they reportedly renounced violence. Most prominent among those released was former Islamic Group leader Karim Zohdy. HRAAP called the move "an effective and positive step," but called for the Ministry of Interior to release all political prisoners, especially those suffering from health problems, and urged that prisoners be moved to prisons in their home governorates to facilitate family visitation.

In March 2002, HRAAP (then known as HRCAP) began issuing lists of sick prisoners that it alleged were detained illegally. At year's end, the group counted 505 such persons. The lists provided information on the date of arrest (all from the 1990s), the number of court orders for release, present places of detention, and ailments. The reports did not include information on the reasons for detention (political or criminal). HRCAP forwarded the lists to the President, urging the release of the detainees. The Government had not responded to the report at year's end.

On April 12, Ashraf Ibrahim was arrested on charges of defaming the state and with membership in an extremist group plotting the overthrow of the state. On December 6, his trial, and that of four (absent) codefendants, began before the Higher Emergency State Security Court (see Section 1.e.). Human rights activists argued that Ibrahim was prosecuted for peaceful political activities. These groups condemned Ibrahim's trial in an emergency court, in which the defendant's rights are restricted.

In August, 37 men suspected of belonging to a banned Islamist group Al-Gama'a al-Islamiya, which took part in a violent campaign to overthrow the government in the 1990s, were arrested. The men remained in detention at year's end.

There were no further developments in the 2002 investigation of allegations that Tawfiq Wail was tortured while in detention.

During the year, security forces arrested approximately 65 persons allegedly associated with the Muslim Brotherhood, which has been an illegal organization since 1954. Charges leveled against members typically included: belonging to and attempting to revive the activities of a banned organization; obstructing the laws and constitution of the country; inciting the masses against the Government; organizing demonstrations critical of the government's policies and attempting to infiltrate student bodies to spread the ideology of a banned organization.

The Constitution prohibits forced exile, and the Government did not use it during the year.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government generally respected this provision in practice; however, under the Emergency Law, cases involving terrorism and national security may be tried in military, or State Security Emergency Courts, in which the accused does not receive all the normal constitutional protections of the civilian judicial system. The authorities ignored judicial orders in some cases. The Government has used the Emergency Law, which was established to combat terrorism and grave threats to national security, to try cases with no obvious security angle.

In May, the Government formally abolished State Security Courts. The courts had been criticized for restricting the rights of defendants, particularly the right to appeal. A number of cases referred to the State Security Courts were transferred to regular criminal courts. However, skeptical observers of the legal system argued that as long as the Government retained and used Emergency Courts, the abolition of State Security Courts did not constitute a fundamental improvement.

The Constitution provides for the independence and immunity of judges and forbids interference by other authorities in the exercise of their judicial functions. This provision generally was observed in practice. The President appoints all judges upon recommendation of the Higher Judicial Council, a constitutional body composed of senior judges. Judges are appointed for life, with mandatory retirement at age 64. Only the Higher Judicial Council may dismiss judges for cause, such as corruption. Headed by the President of the Court of Cassation, the Council regulates judicial promotions and transfers. The Government included lectures on human rights and other social issues in its training courses for prosecutors and judges.

In the civilian court system, there are criminal courts, civil courts, administrative courts, and a Supreme Constitutional Court. There are three levels of regular criminal courts: primary courts, appeals courts, and the Court of Cassation, which represents the final stage of criminal appeal. Civil courts hear civil cases and administrative courts hear cases contesting government actions or procedures; both systems have upper-level courts to hear appeals. The Supreme Constitutional Court hears challenges to the constitutionality of laws or verdicts in any of the courts.

A lawyer is appointed at the state's expense if the defendant does not have counsel. Appointed lawyers are drawn from a roster that is chosen by the Bar Association. Any denial of this right is a ground for appeal of the ruling. However, detainees in certain high security prisons continued to allege that they were denied access to counsel or that such access was delayed until trial, thus denying counsel the time to prepare an adequate defense. A woman's testimony is equal to that of a man's in court. There is no legal prohibition against a woman serving as a judge; however, none did (see Section 5).

In 1992, following a rise in extremist violence, the Government began trying cases of defendants accused of terrorism and membership in terrorist groups before military tribunals. In 1993, the Supreme Constitutional Court ruled that the President may invoke the Emergency Law to refer any crime to a military court. The 1993 ruling in effect removed hundreds of civilian defendants from the normal process of trial by a civilian judge. The Government defended the use of military courts as necessary to try terrorism cases, maintaining that trials in the civilian courts were protracted and that civilian judges and their families were vulnerable to terrorist threats. One case involving civilian defendants was referred to a military court during the year. On January 23, the Government referred 43 suspected members of the outlawed terrorist organization the Islamic Group to a military court on charges of planning to conduct terrorist operations against foreign interests.

Military verdicts were subject to a review by other military judges and confirmation by the President, who in practice usually delegated the review function to a senior military officer. Defense attorneys claimed that they were not given sufficient time to prepare defenses and that judges tended to rush cases involving a large number of defendants. Judges had guidelines for sentencing, defendants had the right to counsel, and statements of the charges against defendants were made public. Observers needed government permission to attend. Diplomats attended some military trials during the year. Human rights activists have attended, but only when acting as lawyers for one of the defendants.

The State Security Emergency Courts shared jurisdiction with military courts over crimes affecting national security. The President appointed judges to these courts from the civilian judiciary upon the recommendation of the Minister of Justice or, if he chose to appoint military judges, the Minister of Defense. Sentences were subject to confirmation by the President. There was no right of appeal. The President may alter or annul a decision of a State Security Emergency Court, including a decision to release a defendant.

During the year, State Security Emergency Courts handed down verdicts in four cases. One new case was referred to trial in an emergency court. On January 30, an English language teacher was sentenced to 1-year imprisonment after allegedly sending a threatening e-mail to a foreign Ambassador. On February 28, Nabil Ahmad Rizq was sentenced to 5 years after being convicted of playing a role in the 1981 assassination of President Sadat. On March 17, Ahmad Abdel Hafiz Soliman was sentenced to 10 years imprisonment for setting fire to video stores and a cinema in 1985. On July 28, a State Security Emergency Court announced that its verdict in the case of 26 persons alleged to be members of the outlawed Islamic Liberation Party, would be released on December 25. However, on December 25, judges announced that the verdict would be delayed until March of next year. Several of the defendants, including five Britons, alleged they had been tortured to compel them to sign confessions. On December 6, the State Security Emergency Court began hearing the trial of Ashraf Ibrahim and four co-defendants. The co-defendants were listed as fugitives and remained at large. The trial was ongoing at year's end (see Section 1.d.).

In March, a court sentenced Sherif El-Filali to 15 years' hard labor on espionage charges. On March 5, a court convicted eight persons from the city of Matariya of "insulting a heavenly religion." Sentences ranged from 3 years in prison to a 1-year suspended sentence (see Section 2.c.). In April, courts sentenced to 10 years at hard labor Mohammed El-Sayid Soliman, an alleged member of the banned terrorist Islamic Jihad group, as well as an alleged associate of Al-Qai'da leader Ayman Al-Zawahiri. In June, a court sentenced Magdi Anwar Tawfiq to 10 years of hard labor for spying for Israel.

In June, the Government enacted a law abolishing hard labor.

In a July retrial, Mahmoud Abdel Ghani, an alleged member of the IG, was sentenced to life in prison for having joined the military wing of the group in Assiut and subsequently killing a police officer. At his first trial, Abdel Ghani had been sentenced to 5 years, but a military governor, on behalf of the President, refused to ratify the ruling and ordered a retrial. There were no further judgments concerning terrorism issued by emergency courts after July.

During the year, the Government continued to try and convict journalists and authors for libel, as well as for expressing their views on political and religious issues (see Sections 2.a. and 2.c.).

According to local human rights organizations, there were approximately 13,000 to 16,000 persons detained without charge on suspicion of illegal terrorist or political activity (see Section 1.d.). In addition to several thousand others were convicted and were serving sentences on similar charges.

The Government did not permit access by international humanitarian organizations to political prisoners (see Section 1.c.). In

2002, an AI delegation was permitted to visit the country, but authorities denied the group's request to visit detainees. There were no prison visits during the year.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution provides for the sanctity and secrecy of the home, correspondence, telephone calls, and other means of communication; however, the Emergency Law suspends the constitutional provisions regarding the right to privacy, and the Government used the Emergency Law to infringe on these rights. Under the Constitution, police must obtain warrants before undertaking searches and wiretaps. Courts have dismissed cases in which warrants were issued without sufficient cause. Police officers who conducted searches without proper warrants were subject to criminal penalties, although penalties seldom were imposed. However, the Emergency Law empowers the Government to place wiretaps, intercept mail, and search persons or places without warrants. Security agencies frequently placed political activists, suspected subversives, journalists, foreigners, and writers under surveillance, screened their correspondence (especially international mail), searched them and their homes, and confiscated personal property.

In February, the Parliament approved a new telecommunications law which allows telephone and Internet wiretaps only by court order. However, some alleged that the Government routinely violated this law.

Although the law does not explicitly criminalize homosexual acts, police have targeted homosexuals using Internet-based "sting" operations leading to arrests on charges of "debauchery." Local activists estimated there have been at least 40 such entrapments since 2001, with 15 new instances during the year (see Sections 1.c, 1.e., and 2.a.).

The Ministry of Interior has the authority to stop specific issues of foreign-published newspapers from entering the country on the grounds of protecting public order. It exercised this authority sporadically during the year (see Section 2.a.).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, the Government partially restricted these rights in practice. The Government used the Emergency Law to infringe on citizens' civil liberties. Citizens openly expressed their views on a wide range of political and social issues, including vigorous criticism of government officials and policies, but generally avoided certain topics, such as direct criticism of the President. Journalists and writers practiced self-censorship.

Ending a long-standing legal case that had broad implications for freedom of expression and human rights advocacy, the Court of Cassation on March 18 acquitted Saad Eddin Ibrahim and his codefendants on charges of defaming the state and illegally accepting foreign funds.

The Constitution restricts ownership of newspapers to public or private legal entities, corporate bodies, and political parties. There are numerous restrictions on legal entities that seek to establish their own newspapers, including a limit of 10 percent ownership by any individual; however, this appears to have been sporadically applied.

The Government owned stock in the three of the largest daily newspapers, and the President appointed their editors in chief. These papers generally followed the government line. The Government also held a monopoly on the printing and distribution of newspapers, including those of the opposition parties. The Government used its monopolistic control of newsprint to limit the output of opposition publications.

Opposition political parties published their own newspapers but received a subsidy from the Government and, in some cases, subsidies from foreign interests as well. Most opposition newspapers were weeklies, with the exception of the dailies Al-Wafd and Al-Ahrar, both of which had small circulation. Opposition newspapers frequently published criticism of the Government. They also gave greater prominence to human rights abuses than did state-run newspapers.

On July 30, the Press Syndicate held its board elections which were generally considered to be credible and transparent. Nasserist Galal Aref was elected president of the board. Twelve other members were elected including four Muslim Brothers, three Nasserists/leftists, and five journalists considered supporters of the Government.

On June 11, the Higher Council for the Press at the Shura Council approved the registration of eight new newspapers. On July 8, the same body approved the registration of an additional 20 newspapers and magazines. On December 30, the Higher Council for the Press approved the registration of 10 new newspapers.

These actions brought the total number of licensed periodicals in the country to 518, including 64 national papers, 40 opposition party papers, seven private newspapers, 252 "specialized" publications, 142 scientific journals, and 67 local publications.

On July 4, the Ministry of Interior acting without court order banned distribution of the second issue of the Al Saada newspaper,

which was associated with the Takaful Party. State Security officials summoned paper chairman and party secretary-general Essam Abdel Razzak, and told him that the Government objected to the paper's editorial policy.

In September, the Government issued a ban on the London-based Arabic newspaper Al-Quds al-Araby following its publication of an article perceived to be critical of the Egyptian presidency. On November 23, the Arab Program for Human Rights Activists issued a statement condemning a decision by the council of Ministers to extend the ban to year's end.

Because of the difficulties in obtaining a license, several publishers of newspapers and magazines aimed at a domestic audience obtained foreign licenses. The Department of Censorship in the Ministry of Information has the authority to censor or halt their distribution.

The Supreme Constitutional Court still had not reached a decision on a 1999 legal challenge to the constitutionality of the Information Ministry's censorship of offshore publications. The Supreme Constitutional Court began hearing the case in 2000 and held another hearing in January, but still had not issued a decision by year's end.

The Penal Code, Press Law, and Publications Law govern press issues. The Penal Code stipulates fines or imprisonment for criticism of the President, members of the Government, and foreign heads of state. The Supreme Constitutional Court agreed in 1998 to review the constitutionality of those articles of the Penal Code that specify imprisonment as a penalty for journalists convicted of libel, but had not begun hearing the case by year's end. The Press and Publication Laws ostensibly provide protection against malicious and unsubstantiated reporting. In recent years, opposition party newspapers have published within limits articles critical of the President and foreign heads of state without being charged or harassed. However, the Government continued to charge journalists with libel. An editor-in-chief found to be negligent could be considered criminally responsible for libel contained in any portion of the newspaper.

During the year, the courts tried a number of prominent cases of slander, filed both by government officials and private citizens. For example, on March 1, a court of misdemeanors dismissed a libel suit brought by businessman Naguib Sawaris in 2002 against Adel Hamoud and Essam Fahmy, the editor and publisher of the tabloid Sawt al-Umma.

On March 4, the misdemeanor court of appeals overturned a lower court ruling fining the tabloid, Sawt el-Umma, \$1,670 (10,000 LE) in another civil case brought by Sawaris.

On June 1, the Court of Cassation upheld a lower court decision to imprison Mustafa and Mahmoud Bakry, the editor and deputy editor of the tabloid al-Osboa, in a libel suit brought by Mohamed Abdel Aal, head of the Social Justice Party and editor of al-Watan al-Arabi newspaper. On June 24, the Bakry brothers filed a motion to dismiss the case against them, noting Abdel Aal's May 25 indictment by another court on charges of bribery and extortion. The motion resulted in the Bakry's interim release.

On June 24 and 25, a civil court dismissed two libel cases against Al-Osboa journalist Ateya Hussein, each seeking \$164,000 (1,000,000 LE) in damages.

On July 6, the office of the Public Prosecutor began reviewing a libel case brought by Deputy Prime Minister and Minister of Agriculture Youssef Wally against Ahmed Ezz Eddine, a journalist from the tabloid Al-Osboa. Wally accused Ezz Eddine of wrongly accusing him of perjury and corruption. On October 5, the Public Prosecutor referred the case to Cairo criminal court for trial.

On July 20, a criminal court dismissed a libel case brought by an academic official against journalist Mustafa Soliman of the tabloid Al-Osboa.

On July 24, a State Security Emergency Court sentenced Talaat Hashem, editor of Misr al-Fatah newspaper, to 1-year imprisonment for publishing a newspaper without a license. Misr al-Fatah's license was frozen in the mid-1990s, but the paper continued to publish for some time.

On December 1, Mustafa Bakry, Chief Editor of the tabloid al-Osboa, filed a lawsuit with the office of the Public Prosecutor accusing activist Saad Eddin Ibrahim of working for a foreign government in exchange for financial support. One week later, Ibrahim filed a libel suit against Bakry. The investigation was ongoing at year's end.

Under the law, the Public Prosecutor may issue a temporary ban on the publication of news pertaining to cases involving national security in order to protect the confidentiality of the cases. The length of the ban is based on the length of time required for the prosecution to prepare its case.

On December 30, the Public Prosecutor issued a press ban on an ongoing corruption investigation involving the director of the National Heart Institute.

The law provides penalties for individuals who disclose information about the State during emergencies, including war and natural disasters. The penalties include fines of up to \$1,000 (approximately 6,000 LE) and prison sentences of up to 3 years. There were no reports that the law was applied during the year.

The law prohibits current or former members of the police from publishing work-related information without prior permission from the Interior Minister.

The law authorizes various ministries to ban or confiscate books and other works of art upon obtaining a court order. There were no court-ordered book confiscations during the year. However, during the Cairo International book Fair in January, the censorship department banned entry of copies of "Zorba the Greek," by Nikos Kazantzakis, and "The Unbearable Lightness of Being" and "Life is in Another Place" by Milan Kundera, both printed in Arabic by a Lebanese publisher. Other titles denied entry into the country were "The Yearning Flying Creatures" by Edward Kharat, "Satan's Paradise" by Nawal el-Saadawi, and "Life is Better than Heaven" a memoir by a repentant former member of the IG.

On June 23, the North Cairo Court overturned a decision by the Public Prosecutors office to arrest author Mohamed Abdel Salam El 'Amry and confiscate his book "Beauties: A Novel of Knowledge." The court ordered the release of the book and the writer.

On July 13, the South Cairo Court ordered the confiscation of the book series "The Jurisprudence of the Sunna" by the late Sheikh Mohammed Sayyed Sabek. The series was reprinted by a publishing house without the permission of the heirs.

In December, following international expressions of concern, the special collections section of the Alexandria Library removed a copy of "The Protocols of the Elders of Zion" from a display case. In a statement, the director of the library denied allegations that the protocols had been displayed next to the Jewish Torah, but nonetheless stated that the inclusion of the protocols was a "bad judgment" and regretted any offense the incident might have caused.

The Ministry of Interior regularly confiscated leaflets and other works by Islamists and other critics of the State. Members of the illegal Muslim Brotherhood also were arrested in connection with publications (see Sections 1.d. and 3). In many cases, the press reported that police confiscated written materials such as leaflets during the arrests.

The Ministry of Interior sporadically prevented specific issues of foreign-published newspapers from entering the country on the grounds of protecting public order (see Section 1.f.). The Ministry of Defense may ban works about sensitive security issues. The Council of Ministers may order the banning of works that it deems offensive to public morals, detrimental to religion, or likely to cause a breach of the peace.

The Government controlled and censored the state-owned broadcast media. The Ministry of Information owned and operated all ground-based domestic television and radio stations. Two private satellite stations, al Mihwar and Dream TV, began broadcasting in 2001 and operated without direct government interference. The Government had a 20 percent financial stake in the first and a 10 percent stake in the second. The Government did not block reception of foreign channels via satellite. The percentage of citizens who received satellite television broadcasts has steadily grown but remained small, while many coffee shops and other public places offered satellite television.

Plays and films must pass Ministry of Culture censorship tests as scripts and as final productions.

The Ministry of Culture censored foreign films to be shown in theaters, but was more lenient regarding the same films in videocassette format. Government censors ensured that foreign films made in the country portrayed the country in a favorable light. On June 9, the Censorship Authority banned the film "The Matrix Reloaded" for public viewing. The authority justified the ban by saying that it dealt with creation and existence, issues considered religiously sensitive. The authority also cited the film's "excessive violence."

On November 5, the authority banned from viewing in the country the film "Bruce Almighty" "because it incarnates the Almighty by an actor."

On December 5, the censorship authority announced it would censor four Egyptian-made films featuring child actors because they "exploit youngsters for commercial against and contradict educational values." Censored scenes involved drugs, improper language, or violence.

Government and private industry experts estimated that approximately 2 million persons in the country were Internet users. The Government did not restrict Internet use and did not monitor citizens' Internet use on a broad scale, although law enforcement officials resulted in some prosecutions for crimes such as "incitement to commit debauchery" (see Section 1.f.).

During the year, other cases of arrest related to the Internet also have included homosexuals in police "sting" operations (see Sections 1.f. and 5).

The Government did not restrict directly academic freedom at universities; however, deans were government-appointed rather than elected by the faculty. The Government justified the measure as a means to combat Islamist influence on campus. Unlike in the past, the Government did not ban books for use on campuses during the year.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly and association; however, the Government significantly restricted freedom of assembly. Citizens must obtain approval from the Ministry of Interior before holding public meetings, rallies, and protest marches. Many demonstrations were not approved; however, the Government tightly controlled public demonstrations that did occur to prevent them from spreading into the streets or other areas. The Interior Ministry selectively obstructed some meetings scheduled to be held on private property and university campuses (see Section 4).

During the year, the Government permitted two major antiwar demonstrations (one tacitly organized by the Muslim Brotherhood and the other organized by the ruling National Democratic Party in tightly controlled settings) to take place. On a number of occasions, worshippers at the Al-Azhar mosque in Central Cairo held mainly impromptu demonstrations at the conclusion of Friday prayers. These were tolerated but carefully watched by the Government.

Many smaller antiwar demonstrations were held with and without permission. In both cases, the Government deployed large numbers of security personnel to contain the demonstrations. In a number of unauthorized demonstrations, police detained suspected organizers, some of whom alleged mistreatment while in detention (see Sections 1.c. and 1.d.). On March 20-21, at the launch of the military campaign in Iraq, thousands of demonstrators convened in Tahrir and Abdel Moneim Riad Squares in Central Cairo. Many of the demonstrators were violent and clashed with police. Dozens were injured and detained, including four opposition members of parliament, although almost all were released by mid-April.

The Constitution provides for freedom of association; however, the Government significantly restricted it in practice. The 2002 Law 84 grants to the Minister of Insurance and Social Affairs the authority to dissolve by decree NGOs, a power previously reserved to the courts. The law also requires NGOs to obtain permission from the Government before accepting foreign funds. According to government officials, funds from foreign government donors with established development programs in the country were excluded from this requirement.

During the year, a number of organizations active in human rights advocacy and civil society development were allowed to register with the Ministry of Social Affairs and thus became officially recognized. However, several other groups were denied registration. In at least two cases, obscure "security objections" were cited in their rejection letters. These groups were challenging these decisions at year's end. In September, one of the groups denied, the "New Woman Center for Research" won a court judgment ordering the Ministry of Social Affairs to allow it to register as an NGO. However, the judgment had not been implemented at year's end (see Section 4).

Under legislation governing professional syndicates, at least 50 percent of the general membership of an association must elect the governing board. Failing a quorum, a second election must be held in which at least 30 percent of the membership votes for the board. If such a quorum is unattainable, the judiciary may appoint a caretaker board until new elections can be scheduled. The law was adopted to prevent well-organized minorities, specifically Islamists, from capturing or retaining the leadership of professional syndicates. Members of the syndicates have reported that Islamists have used irregular electoral techniques, such as physically blocking polling places and limiting or changing the location of polling sites.

c. Freedom of Religion

The Constitution provides for freedom of belief and the practice of religious rites; however, the Government places restrictions on these rights. The Constitution provides that Islam is the official state religion and the primary source of legislation. Religious practices that conflict with Islamic law (Shari'a) are prohibited. However, the practice of Christianity or Judaism does not conflict with Shari'a and significant members of the non-Muslim minority worship without harassment and maintain links with coreligionists in other countries.

Most citizens are Sunni Muslims. There is a small number of Shi'a Muslims. Approximately 8 to 10 percent of the population are Christian, the majority of whom belong to the Coptic Orthodox Church. There are other small Christian denominations, a small Baha'i community, and a Jewish community that numbers approximately 200 persons.

All mosques must be licensed, and the Government was engaged in an effort to control them. The Government appointed and paid the salaries of the imams who lead prayers in mosques, proposed themes for them, and monitored their sermons. In June, Dr. Hamdy Zaqzouq, Minister of (Islamic) Religious Endowments, said there were 30,000 imams in the country, who preached at 82,000 mosques and zawaya (smaller prayer halls in private buildings). He said that his Ministry annexes approximately 6,000 unregistered mosques and zawaya every year.

Neither the Constitution nor the Civil and Penal Codes prohibits proselytizing or conversion; however, the Government discourages proselytizing by non-Muslims and those who did so risked prosecution under the Penal Code, which prohibits citizens from ridiculing or insulting heavenly religions or inciting sectarian strife.

There were no restrictions in practice on the conversion of non-Muslims to Islam; however, in cases involving conversion from Islam to Christianity, authorities have charged several converts with violating laws prohibiting the falsification of documents. In such instances, converts have altered their identification cards and other official documents themselves to reflect their new religious affiliation because of fear of government harassment if they officially register the change from Islam to Christianity. The law prescribes steps to register the conversion of non-Muslims to Islam but does not recognize the conversion of Muslims to other religions. Converts to Islam are not permitted to revert to their original religion. The minor children of converts to Islam,

and in some cases adult children, may automatically become classified as Muslims in the eyes of the state regardless of the status of the other spouse. This is in accordance with established Shari'a rules, which dictates "no jurisdiction of a non-Muslim over a Muslim."

Converts from Islam to Christianity continued to report societal discrimination. In some cases they reported being subjected to harassment from the Government included regular questioning and restriction of travel abroad. Converts from Islam to Christianity cannot amend civil records to reflect their new religious status.

For example, on December 29, 2002, Malak Fahmi, a Christian, and his wife Sarah, a Christian convert from Islam, were arrested while attempting to leave the country with their two children. The couple was charged with falsification of documents. Sarah, who changed her name and religious affiliation on her marriage certificate only, reportedly stated that she did so without her husband's assistance. At year's end, the couple remained in prison.

In December, State Security forces arrested and detained without charge eight Shi'a Muslims; according to an Egyptian NGO they were questioned intensely about their religious beliefs. Three remained in detention at year's end (see Sections 2.c. and 5).

In June 2002, SSIS detained convert Hisham Samir Abdel-Lateef Ibrahim in Alexandria. He was held for 52 days at SSIS facilities in Alexandria and Cairo before being transferred to Torah Farms Prison, where he was interrogated at least three times (see Section 1.d.). Ibrahim is believed to have been charged with forging identity documents and "contempt of religion;" however, at year's end, his case had not been referred to court. In a letter smuggled out of the prison, Ibrahim claimed that other converts to Christianity were detained in the same prison. He admitted to having procured a falsified identity document that showed his new religious affiliation. Ibrahim's case came to the attention of Coptic activists during the summer, when they retained legal counsel for him and began to sue for his release (see Section 1.d.).

Local and international Christian activists reported in October that 20 persons were arrested in October, for allegedly bribing local officials to alter their civil records to identify them as Christians. Some of those arrested were reportedly converts from Islam, and others were reportedly Christians who had converted to Islam and wished to revert to their original status. Of the 20 reportedly arrested, two remained in custody at year's end, in addition to three Government officials accused of accepting bribes for the alterations.

Repairs to all places of worship are subject to a 1976 civil construction code which governs church repairs. The decree was significant symbolically because it made churches and mosques equal under the law. Christians reported that local permits still were subject to approval by security authorities. According to the Official Gazette, the Government issued 11 permits for church-related construction.

The approval process for church construction suffered from delays and was considered to be insufficiently responsive to the Christian community, although the President reportedly approved all requests for permits that were presented to him. The incidence of blocked or delayed orders varied, often depending on the church's relationship with local security officials and the level of support of the local governor.

In July 2002, following a complaint by Muslim villagers, Sohag security authorities closed a building used as a church since 1975 in Nag'a al Kiman on the grounds that it had no permit. They briefly arrested some of the congregation. Church officials maintained that most churches in the area had no permit and the security authorities were aware of that fact. There was no resolution of the problem by year's end and the church remained closed.

The Constitution requires schools to offer religious instruction. Public and private schools provided religious instruction according to the faith of the student.

The Government occasionally prosecuted members of religious groups whose practices deviated from mainstream Islamic beliefs and whose activities were believed to jeopardize communal harmony (see Sections 1.d. and 1.e.).

In December, State Security Court forces arrested and detained without charge eight Egyptian Shi'a. A leading Egyptian civil rights group reported they were questioned intensely about their religious beliefs. Three remained in detention at year's end (see Sections 1.e. and 5).

During the year, several writers also were charged with expressing unorthodox religious beliefs and practices (see Section 2.a.).

The Islamic Research Center of Al-Azhar University has authority to recommend to the Government the censorship of a book on religious grounds (see Section 2.a.). In December, the Islamic Research Center recommended banning the 2000 book "Discourse and Interpretations" by Nasr Abou Zeid. IRC member Dr. Mohammed Emara was quoted as claiming the book contradicted Islamic tenets. The Government had not acted on the recommendation at year's end.

On May 7, a Supreme Administrative Court postponed a review of an appeal filed by the Ministry of Culture, urging that the tomb of a Jewish spiritual leader, Abu Hasera, be declared a protected archaeological site. The appeal contested a 2001 ruling by a lower court rejecting the Ministry of Culture's designation of the site and canceling an annual festival held there by Jewish

pilgrims. The court had not ruled on the case as of year's end.

The Constitution provides for equal public rights and duties without discrimination based on religion or creed; however, discrimination against minority religions, including Christians and Baha'is, existed. There were no Christians serving as governors, police commissioners, city mayors, university presidents, or deans. There were few Christians in the upper ranks of the security services and armed forces. Discrimination against Christians also continued in public sector employment, in staff appointments to public universities, in failure (with the exception of one case in 2002) to admit Christians into public university training programs for Arabic language teachers that involved study of the Koran, and payment of Muslim imams through public funds (Christian clergy are paid with private church funds).

There were no new reports of violent assaults by the IG or other suspected terrorists against the approximately 6 million Coptic Christians. Several riots and conflicts with injuries and property damage occurred during the year some Christians alleged that the Government was lax in protecting Christian lives and property. In a number of cases, in particular regarding murder, it was difficult to determine whether religion was a factor.

On February 28, the retrial of 95 defendants tried in connection with the 2000 violence which left 21 Christians and 1 Muslim dead in the village of Al-Kush, ended with the acquittal of 93 and the conviction of two. Of those, one Muslim defendant was found guilty of killing the sole Muslim victim mistaken for a Christian. He was sentenced to 15 years in prison. Another Muslim defendant was judged an accomplice in the same killing and sentenced to 3 years. Charges against a third deceased defendant were dropped (see Section 1.a.). The outcome of the trial was criticized because it failed to find anyone accountable for the deaths of the 21 Christians. On March 13, Public Prosecutor Maher Abdel Wahed appealed the verdict, citing misapplication of the law and inadequate justification of the verdict.

In mid-August, at the historic St. Anthony's Monastery at a remote desert location in the Red Sea Governorate, dozens of monks confronted at least 100 government security personnel who had been deployed to the site and were reportedly under orders to demolish a fence constructed by the monks enclosing land which belonged to the State. The existence of a permit to build the fence was disputed, and the Church was in negotiations to buy the land in question. At the end of August, the Church and government security personnel reached a compromise which satisfied both parties.

There were reports of forced conversions of Coptic girls to Islam. Reports of such cases were disputed and often included inflammatory allegations and categorical denials of kidnapping and rape. Observers, including human rights groups, found it extremely difficult to determine whether compulsion was used, as most cases involved a Coptic girl who converted to Islam when she married a Muslim. According to the Government, in such cases the girl must meet with her family, with her priest, and with the head of her church before she is allowed to convert.

However, there were credible reports of government harassment of Christian families that attempted to regain custody of their daughters. The law states that a marriage of a girl under the age of 16 is prohibited. Between the ages of 16 and 21 is illegal without the approval and presence of her guardian. The authorities also sometimes failed to uphold the law in cases of marriage between underage Christian girls and Muslim boys.

There is no legal requirement for a Christian girl or woman to convert to Islam in order to marry a Muslim. However, if a Christian woman marries a Muslim man, the Coptic Orthodox Church excommunicates her. Ignorance of the law and societal pressure, including the centrality of marriage to a woman's identity, often affect her decision. Family conflict and financial pressure also are cited as factors. Conversion is regarded as a disgrace to the convert's family, so most Christian families would object strongly to a daughter's wish to marry a Muslim. If a Christian girl converts to Islam, her family loses guardianship, which transfers to a Muslim custodian, who is likely to grant approval.

In April 2002, a court ruled in the case of Iman 'Atiya Soliman, born a Christian in 1982, who "disappeared," or was "kidnapped," (according to her family) in 1999, reportedly converted to Islam in 1999, and married in 2000. The girl's father sued for custody and abolition of the marriage, alleging that authorities had issued her a falsified identity card, which showed her to be 22 at the time of her marriage. The court ruled that the father lost custody of his daughter when she converted to Islam.

Anti-Semitism is found in both the progovernment and opposition press; however, there have been no violent anti-Semitic incidents in recent years.

In 2002, Dream TV aired a historical drama series titled "Horseman without a Horse." The series contained numerous anti-Semitic depictions of Jewish characters and drew significant international protests.

A 1960 ban on Baha'i institutions and community activities remained in place at year's end. All Baha'i community properties, including Baha'i centers, libraries, and cemeteries, that were confiscated in 1960 remained closed. "Baha'i" is not permitted as a religious identity, which is a required category on official documents.

According to media reports, al-Azhar's Islamic Research Center reiterated fatwas issued in previous decades condemning Baha'is as apostates.

For a more detailed discussion, see the [2003 International Religious Freedom Report](#).

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for these rights, and the Government generally respected them in practice; however, there were some notable exceptions. Citizens and foreigners were free to travel within the country, except in certain military areas. Males who have not completed compulsory military service may not travel abroad or emigrate, although this restriction may be deferred or bypassed under special circumstances. Unmarried women under the age of 21 must have permission from their fathers to obtain passports and travel. Married women no longer legally require the same permission from their husbands; however, in practice police reportedly still required such permission in most cases (see Section 5). Citizens who leave the country had the right to return.

The Constitution includes provisions for the granting of refugee status or asylum to persons who meet the definition in the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol; however, the Government limited the ease with which the refugee population could integrate locally. The Government generally did not issue work permits to refugees. The Government admitted refugees on the understanding that their presence in the country was temporary. Because the country lacked national legislation or a legal framework governing the granting of asylum, the Office of the U.N. High Commissioner for Refugees (UNHCR) assumed full responsibility for the determination of refugee status on behalf of the Government. The Government generally cooperated with the UNHCR and treated refugees in accordance with minimum standards and agreed arrangements. The UNHCR provided recognized refugees with a refugee identification card that was considered a residence permit and bore the stamp of the national authorities. Refugees generally may not obtain citizenship. During the year, approximately 9,000 recognized refugees, the majority of whom were Sudanese, resided in the country. In addition, 70,000 Palestinian refugees registered with government authorities. There were also approximately 16,000 asylum seekers awaiting status determination. Although there was no pattern of abuse of refugees, during random security sweeps the Government temporarily detained some refugees who were not carrying proper identification. Following intervention by the UNHCR, the refugees were released.

There were occasional reports that human rights activists were briefly detained for questioning at international ports of entry. On June 14, Mohamed Zarei, director of the Human Rights Association for the Assistance of Prisoners, was detained for 1 hour at the Cairo International Airport and questioned about his activities and Egyptian colleagues during their attendance of a human rights conference in Beirut (see Section 4).

On July 20, the EOHR issued a statement criticizing security officials at Cairo International Airport for questioning human rights activist Yasser Hassan while departing to and returning from a U.N. sponsored conference in Morocco.

During the year, there was also at least one report that converts from Islam to Christianity were prevented from boarding an international flight, a practice that also reportedly occurred in 2002 (see Section 2.c.).

There were no reports of the forced return of persons to a country where they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens did not have the meaningful right to change their government. The ruling National Democratic Party (NDP) dominated the 454-seat People's Assembly, the 264-seat Shura Council, local governments, the mass media, labor, and the large public sector, and controlled the licensing of new political parties, newspapers, and private organizations to such an extent that, as a practical matter, citizens did not have a meaningful ability to change their government.

In 1999, President Hosni Mubarak was elected unopposed to a fourth 6-year term in a national referendum. According to official results, he received 94 percent of the vote. Mubarak had been previously nominated by the People's Assembly. Under the Constitution, the electorate is not presented with a choice among competing presidential candidates.

Despite the overall improvement in the electoral process, there still were problems affecting the fairness of the 2000 parliamentary elections, particularly in the period leading up to elections and outside some polling stations on election day. During the months preceding the elections, the Government arrested thousands of members of the Muslim Brotherhood on charges of belonging to an illegal organization. Most observers believed that the Government was seeking to undermine the Muslim Brotherhood's participation in the People's Assembly and professional syndicate elections through intimidation. In addition, previous convictions on such charges legally precluded many potential candidates from running.

The People's Assembly debated Government proposals, and members exercised their authority to call cabinet ministers to explain policy. The executive initiated almost all legislation. The Assembly exercised limited influence in the areas of security and foreign policy, and retained little oversight of the Interior Ministry's use of Emergency Law powers. Many executive branch initiatives and policies were carried out by regulation through ministerial decree without legislative oversight. Individual voting records were not published, and citizens had no independent method of checking a member's voting record.

The Shura Council, the upper house of Parliament, had 264 seats. Two-thirds of the members were elected and one-third were

appointed by the President. In 2001, President Mubarak appointed 45 members to the Shura Council, including 8 women and 4 Christians.

There were 17 recognized opposition parties.

The Political Parties Committee may withdraw recognition from existing political parties. The Labor Party, which lost recognition in 2000 remained suspended at year's end (see Section 2.a.).

On April 12, an administrative court upheld a decision of the Political Parties Committee rejecting the proposed Mubarak Renaissance Party. Seven appeals of Committee rejections were pending before the courts at year's end.

In January, the Political Parties Committee rejected the Egypt youth party's request. In November, the Committee rejected the establishment of the el-Ghad el-Masri (Egypt's Tomorrow) party. Both parties were contesting the decision in the courts, but there was no outcome at year's end.

Three requests to establish new parties remain before the Political Parties Committee: the Social Constitutional Party, the "Mother Egypt" Party and a second request by Muslim Brotherhood figure Abul Ella Madi to establish the Wasat Party. The Wasat Party's first rejection was in 1998.

In July, the Higher Administrative Court postponed a decision on the disbanding of two political parties. The Social Labor Party was granted three months to contest its rejection before the Supreme Constitutional Court. Consideration of the order disbanding the Social Justice Party, whose head was sentenced in May to 10 years imprisonment for bribery and extortion, was postponed to the October 11 session.

The law prohibits political parties based on religion, and the Muslim Brotherhood remained an illegal organization; however, Muslim Brotherhood members were known as such publicly and openly spoke their views, although they did not explicitly identify themselves as members of the organization. They remained subject to government pressure (see Section 1.d.). Seventeen candidates affiliated with the Muslim Brotherhood were elected to the People's Assembly as independents in 2000. One of the 17 was unseated on January 8, when Gamal Heshmat, lost in a snap by-election result. There were reports of heavy-handed police interference on polling day in favor of his opponent.

There were 11 women in the in the 454-seat People's Assembly. Two women served among the 32 ministers in the Cabinet. There were no women on the Supreme Court. In February, the Government appointed a female jurist to serve on the Supreme Constitutional Court. She became the first female citizen to serve on the bench.

There are 7 Christians in the 454-seat People's Assembly and 2 Christians in the 32-member cabinet.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Some domestic and international human rights groups operate without government restriction, investigating and publishing their findings on human rights cases. Government officials were selectively cooperative and responsive to their views. Some human rights activists were briefly detained for questioning at international ports of entry (see Section 2.d.).

In June 2002, the Government passed a law governing the regulation and operation of NGOs. The new law, and its subsequent implementing regulations were controversial and drew criticism from local NGOs and international activists. Some charged that the law and regulations placed unduly burdensome restrictions on NGO operations. Of particular concern was a new provision in the law that granted the Minister of Social Affairs the authority to dissolve an NGO by decree, rather than requiring a court order.

In June, years after it first applied, the EOHR was officially registered. Another established and credible human rights group, the HRAAP, also was granted registration. At least three human rights groups were denied registration for obscure "security reasons." The status of some others was pending at year's end. In September, one of the groups denied, the "New Woman Center for Research," won a court judgment ordering the Ministry of Social Affairs to allow it to register as an NGO. However, the judgment had not been implemented at year's end (see Section 2.b.).

On August 18, organizers of the proposed EAAT received notice that the Ministry of Social Affairs had denied their application to register as an association under the new NGO Law (see Section 1.c.). In June, the Ministry of Social Affairs also denied registration of the Land Centre for human rights.

On November 19, the Arab Program for Human Rights Activists and the Word Center for Human Rights announced the rejection by the Ministry of Social Affairs of the Word Center's application for NGO status, citing "security objections." The Ministry also contended that the Center is a group based on religion and therefore not eligible for NGO status under the NGO Law (Law 84/02).

EOHR and other groups at times obtained the cooperation of government officials. EOHR field workers visited some prisons in their capacity as legal counsel, but not as human rights observers. They called on some government officials and received funding from foreign human rights organizations.

Government restrictions on NGO activities, including limits on organizations' ability to accept funding, continued to inhibit significantly reporting on human rights abuses.

During the year, the Government permitted the Cairo Institute for Human Rights Studies (CIHR) and other human rights organizations, including HRCAP, EOHR, and the Arab Center for Independence of Judiciary to hold and participate in international conferences.

In July 2002, the Land Center for Human Rights (LCHR) issued a statement signed by eight other human rights organizations in which they complained of harassment by security officials and the Azbakiya Public Prosecutor's office regarding its irregular publication "Al Ard." According to LCHR, a prosecutorial investigation was continuing at year's end (see Section 2.b.).

In July 2002, a State Security Court convicted Dr. Saad Eddin Ibrahim and his codefendants of defaming the state and illegally accepting foreign funds. Ibrahim was acquitted in March and on June 30, the Ibn Khaldoun Center was reopened. In its March 18 judgment, the Court of Cassation decisively cleared Ibrahim of wrongdoing and excoriated the Government's case against him.

The Government generally cooperated with international organizations. According to the delegate to the November session of the CAT, it had not agreed to a requested visit by the UNCHR Special Rapporteur on Torture by year's end because of an incompatibility of timetables (see Section 1.c.).

In June, the Parliament passed legislation establishing a National Human Rights Council, which was to become operational in early 2004. The Council is composed of 25 members, a Chairman and a Deputy Chair, who serve 3-year terms. The Council's mandate is to receive human rights complaints and request competent Government authorities to investigate them, to consult with the Government on the development of legislation that promotes good human rights practices, to increase public awareness on human rights and coordinate and network with other entities focused on human rights.

Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution provides for equality of the sexes and equal treatment of non-Muslims; however, aspects of the law and many traditional practices discriminated against women and religious minorities. Anti-Semitism is found in both the progovernment and opposition press; however, there have been no violent anti-Semitic incidents in recent years.

Attorneys for 52 allegedly homosexual men, arrested in 2001 and charged with debauchery and "insulting a heavenly religion," claimed that their clients were abused physically during the initial days of their detention, and that several had confessed under torture. Defendants in other cases involving homosexuality also claimed that they were tortured in order to extract confessions to the charge of "debauchery" (see Sections 1.e. and 2.c.).

During the year, 15 men were arrested by Egyptian undercover police through an Internet sting operation and charged with the habitual practice of debauchery and advertising "against public morals" and inciting passers-by to commit indecent acts. HRW reported that in April another 16 allegedly homosexual men were held in isolation for 15 days in the women's section of the Giza police station and guards beat them three times daily, at every change of shift (see Sections 1.c. and 1.e.).

On February 17, a court rejected the appeal of Lebanese national Wissam Toufic Abyad, who had been arrested on January 16 and convicted of "habitual debauchery" on January 20, after arranging to meet a police informant posing as a gay man on an Internet site (see Sections 1.c. and 1.f.). Abyad's lawyers had argued that there were numerous violations of procedure in his arrest and interrogation, and that no act of sex was even alleged to have taken place, as required by the debauchery statute. The same judge who convicted Abyad in January heard his appeal in February. Abyad, serving a 15-month sentence, was unable to get his case heard by the Court of Cassation at year's end.

On February 23, a Court of Appeal in Agouza, Cairo upheld the 3-year sentences of 11 allegedly gay men convicted of "habitual debauchery." A 12th defendant was tried in juvenile court and later sentenced to 2 years imprisonment. Lawyers for the 12 appealed the case to the Court of Cassation, Egypt's highest appeals court, but no date had been set and the 12 remained in prison at year's end.

On March 15, a criminal court convicted 21 alleged homosexuals of "habitual debauchery" and issued the maximum 3-year sentences. The case, widely known as the "Queen Boat Trial," was originally heard in 2001 by a State Security Emergency Court, which convicted 23 of 50 original defendants. However, President Mubarak declined to ratify all but two of the convictions and in May 2002 ordered the case retried by a criminal court. Nonetheless, observers who had expressed concerns about the first trial were also critical of the criminal court's handling of the case. The criminal court held no substantive sessions before handing down guilty verdicts, effectively allowing defense lawyers no opportunity to argue their clients' cases.

In subsequent court sessions on June 4 and July 16, 14 defendants from the "Queen Boat" case had their sentences reduced to time-served. Although released from prison, under the terms of their probation, they were required to stay overnight in police custody. Seven other defendants, two of whom did not attend their appeal hearings, and five who did not appeal, remained technically "fugitives."

On July 20, a Cairo appeals court acquitted 11 allegedly homosexual men charged with debauchery. The judge who acquitted them was quoted in the press as castigating the men for their alleged orientation, but conceded that procedural errors "left him no choice" but to acquit. The 11 were among 16 arrested in April and had been convicted by a lower court and received 3-year sentences. International human rights monitors alleged the men had been subject to degrading and humiliating treatment following their arrest. Individuals suspected of homosexual activity and arrested on "debauchery" charges regularly reported being subjected to humiliation and abuse while in custody.

In December, State Security Forces arrested and detained without charge eight Egyptian Shi'a Muslims. Leading Egyptian civil rights group reported that they questioned intensely about their religious beliefs. Three remained in detention at year's end (see Sections 1.e. and 2.c.).

Women

The law does not prohibit spousal abuse; however, provisions of law relating to assault in general are applied. Domestic violence against women was a significant problem and was reflected in press accounts of specific incidents. The Center for Egyptian Women's Legal Affairs conducting a survey of women which found that 67 percent in urban areas and 30 percent in rural areas had been involved in some form of domestic violence at least once during a set period between 2002 and this year. Among those who had been beaten, less than half had ever sought help. Due to the value attached to privacy in the country's traditional society, abuse within the family rarely was discussed publicly. Spousal abuse is grounds for a divorce; however, the law requires the plaintiff to produce eyewitnesses, a difficult condition to meet. Several NGOs offered counseling, legal aid, and other services to women who were victims of domestic violence. Activists believed that in general the police and the judiciary considered the "integrity of the family" more important than the well being of the woman. The Ministry of Insurance and Social Affairs operated more than 150 family counseling bureaus nationwide, which provided legal and medical services.

Established by Presidential Decree in 2000, the National Council for Women (NCW) plays an important role in proposing and advocating policies that promote women's empowerment and also designs development programs that benefit women. The Office of the National Ombudsman for Women, provided counseling, advice, referrals, and other assistance to women pursuing a range of complaints including discrimination in employment and housing to domestic violence, sexual assault, and child custody disputes.

The law prohibits rape; however, marital rape is not illegal. The Government prosecuted rapists, and punishment for rape ranges from 3 years to life imprisonment with hard labor. Although reliable statistics regarding rape were not available, activists believed that it was not uncommon, despite strong social disapproval. If a rapist is convicted of abducting his victim, he is subject to execution.

The law does not specifically address "honor killings" (men killing women for perceived lack of chastity). In practice, the courts sentenced perpetrators of honor killings to lesser punishments than those convicted in other cases of murder. There were no reliable statistics regarding the extent of honor killings; however, it was believed that they were not common.

A 1996 decree banned FGM; however, it remained widespread despite the Government's commitment to eradicating the practice and NGO efforts to combat it. Traditional and family pressures remained strong. A study conducted in 2000 estimated 97 percent of women who have ever been married had undergone FGM. The survey showed that attitudes may be changing slowly. Over a 5-year period, the incidence of FGM among the daughters (from ages 11 to 19) of women surveyed fell from 83 to 78 percent. FGM was equally prevalent among Muslims and Christians. The "Cairo Declaration on Female Genital Mutilation" calls on Governments to adopt legislation to combat the practice.

The Government supported a range of efforts via television and by religious leaders to educate the public about FGM. However, illiteracy impedes some women from distinguishing between the deep-rooted tradition of FGM and religious practices. Moreover, many citizens believed that FGM was an important part of maintaining female chastity, and the practice was supported by some Muslim religious authorities and Islamist political activists.

Prostitution and sex tourism are illegal but occurred, mostly in Cairo and Alexandria.

Sexual harassment is not prohibited specifically by law. There were no statistics available regarding its prevalence.

The law provides for equality of the sexes; however, aspects of the law and many traditional practices discriminated against women. By law unmarried women under the age of 21 must have permission from their fathers to obtain passports and to travel. Married women do not, but police sometimes did not apply the law consistently. Only males may confer citizenship; children born to women with foreign husbands are not conferred the benefits of citizenship. In rare cases, this meant that children born to Egyptian mothers and stateless fathers were themselves stateless. A woman's testimony is equal to that of a man's in the courts. There is no legal prohibition against a woman serving as a judge, although in practice no women served as judges. In

February, Counselor Tahany al-Gabbani was appointed to the Supreme Constitutional Court, the first, and only, female citizen to be appointed to the bench. At year's end, the Court of Cassation still was examining the cases of two female attorneys, Fatma Lashin and Amany Talaat, who challenged the Government's refusal to appoint them as public prosecutors.

Laws affecting marriage and personal status generally corresponded to an individual's religion. The Law provides that a Muslim woman may obtain a divorce without her husband's consent, provided that she was willing to forego alimony and the return of her dowry. The Coptic Orthodox Church permits divorce only in specific circumstances, such as adultery or conversion of one spouse to another religion.

Under Islamic law, non-Muslim males must convert to Islam to marry Muslim women, but non-Muslim women need not convert to marry Muslim men. Muslim female heirs receive half the amount of a male heir's inheritance, while Christian widows of Muslims have no inheritance rights. A sole female heir receives half her parents' estate. The balance goes to designated male relatives. A sole male heir inherits all of his parents' property. Male Muslim heirs face strong social pressure to provide for all family members who require assistance; however, in practice this assistance is not always provided.

Labor laws provide for equal rates of pay for equal work for men and women in the public sector. According to government figures, women constituted 17 percent of private business owners and occupied 25 percent of the managerial positions in the four major national banks. Educated women had employment opportunities, but social pressure against women pursuing a career was strong. Women's rights advocates claimed that Islamist influence inhibited further gains. Women's rights advocates also pointed to other discriminatory traditional or cultural attitudes and practices, such as FGM and the traditional male relative's role in enforcing chastity.

A number of active women's rights groups worked to reform family law, educate women on their legal rights, promote literacy, and combat FGM.

Children

The Government remained committed to the protection of children's welfare and attempted to do so within the limits of its budgetary resources. The Child Law provides for privileges, protection, and care for children in general. Six of the law's 144 articles set rules protective of working children (see Section 6.d.). Other provisions include a requirement that employers set up or contract with a child care center if they employ more than 100 women; the right of rehabilitation for children with disabilities; a prohibition on sentencing defendants between the ages of 16 and 18 to capital punishment; and a prohibition on placing defendants under the age of 15 in preventive custody, although the prosecution may order that they be lodged in an "observation house" and be summoned upon request. International donors provided many of the resources for children's welfare, especially child immunization.

During the year, the country's National Council of Childhood and Motherhood (NCCM), a Government organ which partners with foreign donors, implemented a variety of projects aimed at: expanding the availability and quality of pre-schools programs, combating abuses involving child labor; promoting literacy among women and children; discouraging drug and tobacco abuse among children, and improving educational opportunities. NCCM developed a national plan to increase educational opportunities for girls, to combat the worst forms of child labor (in collaboration with the ILO), and to implement a reproductive health awareness program for public schools. At year's end, implementation was underway.

In February, HRW issued a report documenting police practices of arresting, sometimes en masse, street children and other children deemed "vulnerable to delinquency." The report also documented abuses these children may face during their detention, as well as violations of legal procedures in processing their cases (see Section 1.c.). The Government responded to the HRW report, maintaining that it 'drew general conclusions from a limited base' and said that the cases cited "if true, involved individual transgressions dealt with firmly by Egyptian law."

In a move intended to protect underage detainees, on May 26 the Suggestions and Complaints Committee of the People's Assembly approved a draft law that would allocate special holding cells for minors at police stations. The proposal had not been adopted by the entire Parliament at year's end. The move followed on a December 2002 instruction by the Ministry of Interior to police stations in the Cairo Governorate to establish specially designated rooms for the detention of those without prior criminal records (see Section 1.c.).

The Government provided public education, which is compulsory for the first 9 academic years (typically until the age of 15). The Government treated boys and girls equally at all levels of education.

There were no statistics available regarding the prevalence of child abuse.

Children with foreign fathers were not considered citizens and thus could not attend public school or state universities. They were also barred from certain professional schools and could not work without meeting foreign residency requirements and obtaining work permits. There were an estimated 400,000 such children in the country. However, the Egyptian media reported in September that the Ministry of Interior would begin examining requests by female citizens married to foreigners who wished to transmit their nationality to their children. According to the report, the Minister of Interior would examine these requests to see if "required conditions" were met. The requirements were not specified in any of the reports. This new direction was amplified by

President Mubarak on September 29, who announced amendments to this part of the existing nationality law were under consideration. It appeared that children of Palestinian fathers would continue to be ineligible for citizenship.

FGM generally was performed on girls between the ages of 7 and 12 (see Section 5, Women).

Persons with Disabilities

There are no laws specifically prohibiting discrimination against persons with physical or mental disabilities, but the Government made serious efforts to address their rights. It worked closely with U.N. agencies and other international aid donors to design job-training programs for persons with disabilities. The Government also sought to increase the public's awareness of the capabilities of persons with disabilities in television programming, the print media, and in educational material in public schools. There were approximately 5.7 million persons with disabilities, of whom 1.5 million were disabled severely.

The law provides that all businesses must designate 5 percent of their jobs for persons with disabilities, who are exempt from normal literacy requirements. Although there was no legislation mandating access to public accommodations and transportation, persons with disabilities may ride government-owned mass transit buses free of charge, are given priority in obtaining telephones, and receive reductions on customs duties for private vehicles. A number of NGOs were active in efforts to train and assist persons with disabilities.

Section 6 Worker Rights

a. The Right of Association

There are no legal obstacles to establishing private sector unions, although such unions were uncommon. Workers may join trade unions, but are not required to do so. A union local or workers' committee may be formed if 50 employees express a desire to organize. Most union members, about one-quarter of the labor force, were employed by state-owned enterprises. Unionization decreased in the past several years as a result of early retirement plans in public sector enterprises, and the privatization of many of these enterprises. In June, a new labor (Law 12) was passed and 35 ministerial decrees and 9 prime ministerial decrees complementing the new law were issued between June and November by the Ministry of Manpower and Migration.

There were 23 trade unions, all required to belong to the ETUF, the sole legally recognized labor federation. The International Labor Organization's (ILO) Committee of Experts emphasized that a law that requires all trade unions to belong to a single federation infringes on freedom of association. The ILO also criticized ETUF control over the nomination and election procedures for trade union officers. It also criticized the lack of protection of the right of workers' organizations to organize their administration, including their financial activities, without interference from public authorities. However, the Government showed no sign that it intended to accept the establishment of more than one federation. ETUF officials had close relations with the NDP, the ruling party, and some were members of the People's Assembly or the Shura Council. They spoke vigorously on behalf of worker concerns, but public confrontations between the ETUF and the Government were rare.

Some unions within the ETUF were affiliated with international trade union organizations. Others were in the process of becoming affiliated.

b. The Right to Organize and Bargain Collectively

The new law calls for the establishment of a labor consultative council, including representatives from the Government, from employers and workers associations. With labor experts these representatives address tripartite issues and problems and review labor-related local and international legislation. Only one member of the council was named during the year, and the council has not met. Collective bargaining exists in the law allowing tripartite negotiations to improve labor terms and conditions, enhance cooperation between the parties to increase employees' social development, and resolve disputes between workers and employers. Collective negotiation may be set in motion by any of the concerned parties without the consent of other parties involved with the assistance of the concerned administrative authority.

The Ministry of Manpower and Migration established an administrative unit on November 30 for collective negotiations and agreements affairs. It also is to monitor implementation of collective agreements. The Government sets wages, benefits, and job classifications for public sector and government employees, and the private sector sets compensations for its employees in accordance with the Government's laws regarding minimum wages.

The new labor law also regulates litigation related to collective bargaining. As opposed to the previous labor law, the new law allows collective bargaining in what are identified as strategic and vital establishments, but the ability to call a strike at strategic workplaces is still limited.

The new labor law provides for a limited form of striking, but only after a protracted negotiation process. Wildcat strikes are prohibited. Peaceful strikes are allowed, provided they are announced in advance and organized by the trade union to defend vocational, economic and social interests. To call a strike, the trade union would notify the employer and concerned

administrative authority at least 10 days in advance of the strike date, giving the reason for the strike and the date it would commence. Prior to this formal, notification, the strike action would have to be approved by a two-third's majority of the ETUF Board of Directors. This advance notice process effectively eliminates wildcat strikes. Strikes are prohibited by law during the validity of collective bargaining agreements and during the mediation and arbitration process. Strikes are also prohibited in strategic or vital entities in which the interruption of work could result in a disturbance of national security or basic services. A recently issued prime ministerial decree complementing the new labor law identifies strategic and vital entities: national security and military production facilities; hospitals and medical centers; pharmacies; bakeries; public transportation and cargo transportation; civil defense facilities; public utilities (water, waste water, gas, electricity, and communications); ports and airports; and educational institutions.

There were at least a dozen strikes during the year. Strikes mainly concerned delayed payment of salaries, wage cuts, terminations, increased working hours, and suspension of job promotions. Under the new labor law that was approved in June, workers in strategic utilities are denied the right to strike. Some opposition members of parliament have threatened to challenge the constitutionality of the new law.

Employers are allowed for economic reasons, to completely or partially close down or downsize firms. Under such circumstances, they are granted the right to fire employees after coordinating and consulting with the trade unions. Termination of employee's contracts seems to have become easier under the new law for companies in financial distress, but the new law's provisions in this regard have not been tested. Employers appear to have won more flexibility in contract terms under the new law as well. During the year, an Emergency Unemployment Fund was established under the 2002 Social Insurance Fund to compensate workers laid off from companies in distress.

Firms, apart from large ones in the private sector, generally did not adhere to government-mandated standards. Although they are required to observe some government practices, such as the minimum wage, social security insurance, and official holidays, firms often did not adhere to government practice in non-binding matters, including award of the annual Labor Day bonus. Labor law and practice are the same in the six existing export-processing zones (EPZs) as in the rest of the country. A new Special Economic Zones (SEZ) law was issued in 2002 laying the legal foundation for the establishment of special economic zones that will be export-oriented. According to the SEZ law, rules governing labor in the SEZs will be more flexible as the authority regulating the SEZ can tailor contracts in accordance with business needs while adhering to the general requirements of the labor law.

c. Prohibition of Forced or Bonded Labor

The Constitution prohibits forced or bonded labor. The labor law and child law do not specifically prohibit forced and bonded labor by children, but they do prohibit working conditions that could harm children mentally and physically in accordance with ILO Convention 182 on the Worst Forms of Child Labor. It has started implementing programs that remove and prevent children from working in hazardous conditions and activities (see Section 6.d.). Ministerial decrees have been issued by the Ministry of Manpower and Migration prohibiting the employment of children under 14, 16, and 18 in specific activities that are hazardous to children defined by ILO Convention 182. The Child Labor Unit of the Ministry of Manpower investigates reports of children working in hazardous conditions. The Ministry reported that it conducted "several" raids, assisted by police, including two on car-painting workshops employing children.

d. Status of Child Labor Practices and Minimum Age for Employment

Child labor was previously a common practice. The Government took steps to address the problem of child labor. During the year, the Ministries of Manpower and Agriculture conducted three workshops for labor inspectors to sharpen their awareness of child labor law violations that can occur when children work in agriculture. The Ministry of Manpower also offered training to its employees in the provisions of the new labor law that deal with child labor. The National Council on Childhood and Motherhood set up a 24-hour hotline to receive calls from children in distress. When callers complained about working in unsafe or unhealthful conditions, the Ministry of Manpower Child Labor Unit was notified. With the help of international organizations and donor agencies, the Government is trying to implement stricter child labor policies. During the year, the ILO/IPEC conducted two training workshops for labor inspectors on the laws and regulations governing child labor inspections. ILO/IPEC also helped the Ministry of Manpower draft a training program for "Capacity Building and Policy Development for Combating Child Labor." The USAID-funded AFL-CIO Solidarity Center collaborated with the Egyptian Trade Union Federation to conduct four workshops in Cairo and nine in rural areas dealing with child labor. Enforcement is still an issue. In nonagricultural work the minimum age for employment is 14 years of age or the age of completing basic education (15) whichever is higher. UNICEF reported on the widespread practice of poor rural families making arrangements for a daughter to be employed as a domestic servant in the homes of wealthy citizens.

The law limits the type and conditions of work that children below the age of 18 may perform legally. Provincial governors, with the approval of the Minister of Education, may authorize seasonal work for children between the ages of 12 and 14, provided that duties are not hazardous and do not interfere with schooling. During the summer, the President and the Ministry of Education authorized governors to delay the start of the school year in their governorates pending the end of the crop season. According to media reports, one provincial governor delayed school for 1 week pending the end of a crop season. The Minister of Manpower and Migration canceled a 1965 decree that required each family in rural areas to engage at least one child in cotton picking and pest control. The Minister also made several statements to the press against children working in hazardous agricultural activities.

Preemployment training for children under the age of 12 is prohibited. Children are prohibited from working for more than 6 hours a day and one or more breaks totaling at least 1 hour must be included. Several other restrictions apply to children: they may not work overtime, during their weekly day(s) off or official holidays, or between 7 p.m. and 7 a.m. Children are also prohibited from working for more than 4 hours continuously.

The Government worked closely during the year with international organizations--in particular UNICEF and the ILO--as well as international and domestic NGOs and labor unions to implement programs designed to address child labor and its root causes.

In 2000, the Ministry of Manpower child labor unit created a database for tracking child labor in the country and inspectors began raids to uncover violations in 2001. Inspection raids increased during the year. Enforcement was still spotty, and in the cases where offenders of the child labor laws have been prosecuted, the fines imposed are often too small (e.g., \$3.25 or 20 LE) per offense to act as a deterrent. Regulations proposed in June under the new labor law would sharply increase the minimum amount of fines in child labor cases, to \$81 (500 LE), but they not yet been implemented by year's end.

Statistical information regarding the number of working children was difficult to obtain and often out-of-date. NGOs estimated that up to 1.5 million children worked. Government studies indicate that the concentration of working children was higher in rural than in urban areas. Approximately 78 percent of working children were in the agricultural sector. However, children also worked in light industry. In 2001, the Central Agency for Public Mobilization and Statistics (CAPMAS) conducted a household survey at the request of the NCCM for use in formulation of appropriate national child labor policies. The results of the survey were not made public during the year.

While local trade unions reported that the Ministry of Labor adequately enforced the labor laws in state-owned enterprises, enforcement in the private sector, especially in the informal sector, was lax. Many working children were abused, overworked, and exposed to potentially hazardous conditions by their employers and the restrictions in the Child Law have not improved conditions due to lax enforcement on the part of the Government. The Minister of Manpower and Migration has been vocal about the need to address the enforcement issue and the Ministry is working with the ILO at the grass roots level in governorates to increase effective enforcement of child labor regulations. The First Lady, Suzanne Mubarak, is sponsoring activities aimed at improving the conditions for children in general and working children specifically. During the year, she chaired four workshops in to raise awareness of the social and long-term economic problems associated with child labor. The National Council on Childhood and Motherhood, whose Technical Secretariat is headed by the First Lady, is taking the lead on formulating a national plan to eliminate hazardous forms of child labor that exist in the country. During the year, this national strategy was expected to be announced in but was postponed.

e. Acceptable Conditions of Work

During the year, the minimum wage for government and public sector employees increased to \$ 28.4 (174 LE) per month for a 6-day, 36-hour workweek. The new law stipulates that 48 hours is the maximum number of hours that may be worked in 1 week. Overtime for hours worked beyond 36 per week is payable at the rate of 25 percent extra for daylight hours and 50 percent extra for nighttime hours. The nationwide minimum wage generally was enforced effectively larger private companies; however, smaller firms did not always pay the minimum wage. The minimum wage frequently did not provide a decent standard of living for a worker and family; however, base pay commonly was supplemented by a complex system of fringe benefits and bonuses that may double or triple a worker's take-home pay and provide a decent standard of living. In September the new labor law established a National Wages Council headed by the Minister of Planning that held its first meeting. The Council's mandate is to set minimum wages at a national level considering costs of living and address issues related to employees compensations. The new law also established a Supreme Human Resources Development Council headed by the Minister of Manpower and Migration. In September, the Prime Minister established an executive committee for the Council including representatives from the Ministries of Manpower, Social Affairs, Housing, Administrative Development, Foreign Trade, Petroleum, Electricity, Communication and Agriculture. In addition, representatives from the ETUF, Federation of Egyptian Industries, chambers of tourism, commerce, construction and contracting will also sit on the Council.

The Ministry of Labor sets worker health and safety standards, which also apply in the EPZs; however, enforcement and inspections were uneven. A new council for occupational health and safety has also been established by the new labor law to address health and safety issues nation-wide.

The new labor law prohibits employers from maintaining hazardous working conditions, and workers had the right to remove themselves from hazardous conditions without risking loss of employment.

In August, the Minister of Manpower said that the total number of foreign workers holding work and residence permits was 18,177, not including Sudanese, Palestinians, and foreigners married to citizens. Unofficial estimates of undocumented workers were as high as 116,000. Foreign workers with the required permits enjoyed legal protections. In December, the Ministry of Manpower and Migration issued ministerial decrees regulating foreigners' employment in the country. The 10 percent ratio of foreign/national workers remained in effect.

There were occasional reports of employer abuse of undocumented workers, especially domestic workers. A few employers were prosecuted during the year for abuse of domestic workers, but many claims of abuse were unsubstantiated because undocumented workers were reluctant to make their identities public.

f. Trafficking in Persons

The law does not specifically prohibit trafficking in persons; however, other portions of the criminal code may be used to prosecute traffickers. There were anecdotal reports of trafficking of persons from sub-Saharan Africa and Eastern Europe through the country to Europe and Israel. There have also been reports in the press about foreigners trying to cross over to Israel seeking employment there. It is very difficult to determine how many of the aliens smuggled through the country were actually being trafficked and how many were voluntary economic migrants. The Government aggressively patrolled its borders to prevent alien smuggling, but geography and resource limitations precluded total success. Government officials participated in international conferences on combating trafficking in persons.